

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

GARY B. FILLER and LAWRENCE PERLMAN,
Trustees of the TRA Rights Trust,
Plaintiffs,

v.

DEXIA, S.A. and DEXIA BANK BELGIUM
(formerly known as ARTESIA BANKING CORP., SA),
Defendants.

No.: 04-CV-10477 (PBS)

JANET BAKER and JAMES BAKER, JKBAKER LLC
and JMBAKER LLC,
Plaintiffs,

v.

DEXIA, S.A. and DEXIA BANK BELGIUM
(formerly known as ARTESIA BANKING CORP., SA),
Defendants.

No.: 04-CV-10501 (PBS)

**DECLARATION OF SUSAN M. DAVIES IN SUPPORT OF
DRAGON PLAINTIFFS' MOTION FOR
LEAVE TO FILE FIRST AMENDED COMPLAINTS**

SUSAN M. DAVIES, declares pursuant to 28 U.S.C. § 1746 that:

1. I am a member of the Gregory P. Joseph Law Offices LLC, which represents Gary B. Filler and Lawrence Perlman, Trustees of the TRA Rights Trust in the above-captioned action *Filler v. Dexia, S.A.*, No. 04-CV-10477-PBS ("Filler Plaintiffs"). On June 13, 2005, the Court granted leave for me to appear *pro hac vice* in that action. Unless otherwise indicated, I have personal knowledge of the matters addressed in this declaration. I am over the age of 18 and am fully competent to testify.

2. I submit this declaration on behalf of Filler Plaintiffs, and also on behalf of Plaintiffs Janet Baker, James Baker, JK Baker LLC, and JM Baker LLC ("Baker Plaintiffs," and collectively with Filler Plaintiffs "Dragon Plaintiffs"), in support of Dragon Plaintiffs' Motion for Leave to File First Amended Complaints.

1. Annexed hereto as **Exhibit A** is a true and correct copy of the Stipulation Pursuant to Federal Rule of Civil Procedure 15, dated March 29, 2006, by and between


Dexia Bank Belgium, Dragon Plaintiffs, and plaintiffs in the related *Stonington Partners, Inc. v. Dexia, S.A.*, No. 04-CV-10411-PBS.

2. Annexed hereto as **Exhibit B** is a true and correct copy of the Court's Memorandum and Order, dated August 8, 2006, in *Quaak v. Dexia, S.A.*, No. 03-11566-PBS.

3. Annexed hereto as **Exhibit C** is a true and correct copy of the Court's electronic order entered on March 14, 2006 in *Quaak v. Dexia, S.A.*, No. 03-11566-PBS.

4. Annexed hereto as **Exhibit D** is a true and correct copy of the transcript of the July 28, 2006 oral argument of Dexia's Motions for Judgment on the Pleadings in the above-captioned actions and the related *Stonington Partners, Inc. v. Dexia, S.A.*, No. 04-CV-10411-PBS

I declare under penalty of perjury that the foregoing is true and correct. Executed this 15th day of September 2006.



Susan M. Davies
N.Y. Attorney Registration # 2413508

CERTIFICATE OF SERVICE

I hereby certify that this document will be filed through the ECF system, which filing will constitute service of the document upon all registered ECF users as identified on the Notice of Electronic Filing (NEF). A paper copy of this document has been mailed in accordance with FED. R. CIV. P. 5(b) to all those case participants not identified on the NEF as electronic recipients.

/s/ Susan M. Davies
Susan M. Davies, N.Y. Atty Reg. #2413508